

REMARKS/ARGUMENTS

Reconsideration of the present application is respectfully requested. Claims 1, 7, 8, 11, 12, 14, and 29 have been previously canceled. Claims 13, 15, 16, 19-22, and 28 have been amended herein. Claims 30-35 have been canceled herein, and claims 36-38 have been added herein. Thus, claims 2-6, 9, 10, 13, 15-28, and 36-38 are presently pending. Claims 13, 15, and 16 are independent.

In the Office Action dated August 23, 2004, claims 2-6, 9-10, 13, 15-28, and 30-35 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 2,754,613 to Rogers et al. (the "Rogers et al. '613 patent"). However, Applicant respectfully submits that none of the prior art references of record, when considered singly or in combination, show or suggest the use of the structure recited in the claims.

Amended claim 13 recites a fishing tackle including, among other things, a fish hook and a bait-attachment clip fixed relative to the hook. The clip includes first and second jaws shiftably coupled together. Each of the jaws present corresponding first and second oppositely spaced jaw ends. The hook includes an eyelet formed in one end and an opposed barbed end spaced from the eyelet. The hook further includes a shaft portion extending between the opposed ends. The fishing tackle also includes a flexible sleeve that is encirclingly received around the shaft portion and the first jaw end of the first jaw to retain the first jaw in the generally parallel relationship with the shaft portion. The flexible sleeve endlessly encircles at least a portion of the hook and at least a portion of the clip. The flexible sleeve is formed from a non-metal material.

The structure recited in amended claim 13 enables a fishing tackle that provides several advantages. One advantage is that the flexible sleeve readily conforms to different shapes of clips and hooks to reduce the possibility of falling off the fishing tackle. Another advantage is that the flexible sleeve encircles the clip and hook to directly contact both, therein reducing the possibility that the flexible sleeve falls off. In encircling the hook, the sleeve is advantageously retained on the hook should the sleeve lose contact with the clip.

Amended claims 15 and 16 similarly claim fishing tackle. Claim 15 recites fishing tackle including a fish hook and a bait attachment clip fixed relative to the hook. The fishing tackle also includes a coupling means for removably coupling the clip to the hook. The coupling means includes a flexible sleeve slidably received around at least a portion of the hook and at least a portion of the clip. Similar to claim 13, the flexible sleeve endlessly encircles the at least a portion of the hook and the at least a portion of the clip and is formed from a non-metal material. Claim 16 recites fishing tackle including a fish hook and a clip removably coupled to the hook, where the clip includes first and second jaws. The fishing tackle also includes a flexible sleeve received on the hook and slidable relative to the hook and at least one of the jaws into a retention position. The flexible sleeve endlessly encircles at least a portion of the hook and at least a portion of the at least one jaw. The sleeve is formed from a non-metal material. The structure recited in claims 15 and 16 enables a fishing tackle that provides advantages similar to the advantages provided by claim 13.

Turning now to the prior art references of record, the Rogers et al. '613 patent discloses a fish lure having jaws 10,14 secured together with a pin 18 and a hook 23 extending between the jaws 10,14. A channel-shaped member 21 extends between the jaws 10,14 and is

pivotaly attached to the pin 18. The channel-shaped member 21 cooperates with the jaw 10 to secure the hook therebetween. Also, a collar 28 secures the channel-shaped member 21 to the jaw 10.

The Rogers et al. '613 patent fails to show or suggest the use of structure recited in amended claims 13, 15 and 16. For example, the Rogers et al. '613 patent fails to show or suggest a flexible sleeve that endlessly encircles a portion of a hook and a portion of a clip. FIG. 4 of the Rogers et al. '613 patent specifically shows a collar 28 that only partially surrounds the hook 23. This occurs because the hook 23 terminates along its circumference to present opposing ends that define the opening 29. In addition, the collar 28 is disclosed as being moved from the position of FIG. 2 "inwardly to the position of FIG. 1" to secure the channel-shaped member 21, as shown in FIG. 4. (Col. 2; L 19-35). The opening 29 is therefore configured to have the hook 23 passed through it as the collar 28 is assembled to retain the jaw 10 and the channel-shaped member 21. In this manner, if the collar 28 becomes dislodged from the jaw 10, it will easily be removed (or fall off) the hook 23 without sliding over an end of the hook 23. The Rogers et al. '613 patent simply does not disclose or suggest an encircling sleeve that is thereby retained on a hook.

The Rogers et al. '613 patent also fails to show or suggest a flexible sleeve formed of a non-metal material. Instead, the Rogers et al. '613 patent discloses a metal collar 28. The collar 28 is disclosed as having ends that are "bent laterally inwardly" to define the opening 29. (Col. 2; L 9-15). Additionally, the collar 28 is identified in FIG. 4 with single line cross-hatching indicative of metal material (MPEP 608.02) and identical to the cross-hatching of the metallic hook 23 and the metallic jaw 10.

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In view of the foregoing, Applicant submits that independent claims 13, 15 and 16 recite structure not shown or suggested in the prior art references of record. Claims 9 and 10 depend from claim 13, claims 2-6 and 36-38 depend from claim 15, and claims 17-28 depend from claim 16. These dependent claims recite additional features of the invention not shown or suggested by the prior art.

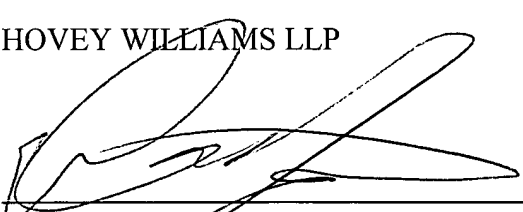
Therefore, the present application should now be in condition for allowance and such allowance is respectfully requested. Should the Examiner have any questions, please contact the undersigned at (800) 445-3460.

A two-month Petition for Extension of Time accompanies this Amendment, along with a check in the amount of \$225.00 for the petition fee set forth in 37 C.F.R. § 1.17(a)(2). The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 19-0522.

Respectfully submitted,

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